

**RESOLUTION NO. 09-60**

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA APPROVING THE FINAL DECISION OF THE PLANNING AND ZONING BOARD, DECISION NO. 09-11 THAT GRANTED ADJUSTMENTS TO ACCOMMODATE A GAZEBO ON CONDITION THAT THE GAZEBO REMAIN OPEN ON ALL SIDES ON PROPERTY LOCATED AT **4658 EAST 9 COURT, HIALEAH, FLORIDA**; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the Planning and Zoning Board, at its regular meeting of April 22, 2009 entered a final decision, Decision No. 09-11, subject to review by the Hialeah City Council; and

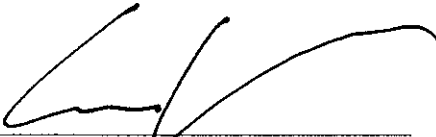
**WHEREAS**, the petitioners represented at the City Council meeting of May 12, 2009 that they removed the two aluminum sheds on the property and therefore, they withdrew the request for a setback adjustment to accommodate one of the aluminum sheds.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

**Section 1:** The Mayor and the City Council of the City of Hialeah, Florida hereby approve Final Decision 09-11 granting an adjustment of 7 feet, as to the distance between the main residence and an accessory building, where 20 feet are required, and an adjustment of 2 feet, as to the rear setback, where 7.5 feet are required, to accommodate a gazebo built without the benefit of a building permit, on condition that the gazebo remain open on all sides and that the structure be legalized within 180 days. The property located at 4658 East 9 Court, Hialeah, Florida, zoned R-1 (One Family District).

**Section 2:** This resolution shall become effective upon signature of the Mayor of the City of Hialeah, Florida or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

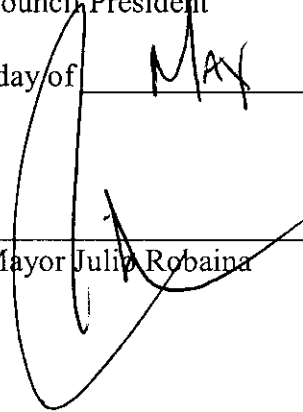
PASSED AND ADOPTED this 12th day of May, 2009.



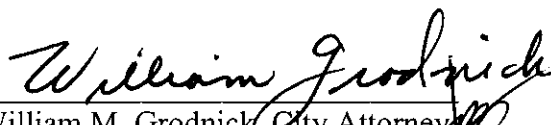
Carlos Hernandez  
Council President

Attest:

Approved on this 14 day of May, 2009.

  
Rafael E. Granado, City Clerk  
Mayor Julio Robaina

Approved as to form and legal sufficiency:

  
William M. Grodnick, City Attorney

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Resolution was adopted by a 6-0 vote with Councilmembers, Caragol, Casals-Muñoz, Cue, Gonzalez, Hernandez, Yedra voting "Yes" and Councilmember Garcia-Martinez absent.